

**REMARKS**

Claims 1-26 and 28-35 are pending in this application. Claims 17-26, 34 and 35 are withdrawn from consideration. By this Amendment, claims 1, 3, 4 and 28 are amended and claim 27 is canceled.

The courtesies extended to Applicants' representative by Examiner Vockrodt at the interview are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute the record of the interview.

**I. Claim 4 Satisfies All Formal Requirements**

The Examiner objects to claim 4 because "(e)" should be changed to --(c)--. Applicants respectfully disagree with the Examiner. Claim 4 recites the steps of (a) to (e). Thus, withdrawal of the objection to claim 4 is respectfully requested.

**II. The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1-9 and 13 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,513,199 to Haase; claims 27 and 32 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,088,378 to Furukawa; claim 10 is rejected under 35 U.S.C. §103(a) as unpatentable over Hasse in view of U.S. Patent No. 6,160,081 to Tanaka; claims 11-12 are rejected under 35 U.S.C. §103(a) as unpatentable over Hasse and Tanaka and further in view of U.S. Patent No. 5,508,803 to Hibbs; and claims 14-16, 28-31 and 33 are rejected under 35 U.S.C. §103(a) as unpatentable over Hasse in view of Furukawa. These rejections are respectfully traversed.

None of the applied art teaches, discloses or even suggests the step of forming a second resin layer by changing a solubility of an upper part of the first resin layer formed above an upper surface of the column-shaped section, as claimed in claim 1 and similarly claimed in claims 3, 4 and 28.

Instead, Hasse discloses a blue-green laser diode which includes an electrode 30 including Au which is vacuum evaporated onto contact layer 26 and patterned into a stripe using conventional photolithography and lift off. An insulating layer 34 is then applied over electrode 30 in the exposed surface of contact layer 26. A stripe (about 20 $\mu$ m wide) of the polyamide layer 24 directly above electrode 30 is removed by UV exposure through a photomask and development using the manufacturers recommended processing recipe, except for the post development cure.

In contrast, according to the claimed invention, the solubility of the upper part of the first resin layer is changed, i.e., the area of which solubility to the development is changed is formed adjacent to the area of which solubility to the development is not changed in the direction substantially parallel to the surface of the substance. However, Hasse merely discloses that UV exposure is performed to the portion of the polyimide layer where the mask is not formed in order to change the solubility to the development, i.e., the area of which solubility to the development is changed is formed adjacent to the area of which solubility to the development is not changed in the direction perpendicular to the surface of the substance.

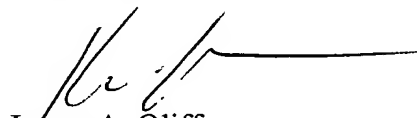
Accordingly, the applied art does not disclose the features of the claimed invention that a solubility of an upper part of the first resin layer formed above an upper surface of the column-shaped section is changed. The features of the claimed invention discussed above enable the device to have stable characteristics and allows fabrication of the device at a lower cost and higher yield. The applied art does not disclose the features of the claimed invention and thus cannot provide the advantages thereof. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. §102 and §103 is respectfully requested.

**III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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